
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

ROYAL EVERETT SILAS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**MEMORANDUM DECISION AND
ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO APPEAL**

Case No. 2:18-cv-00279-DN

District Judge David Nuffer

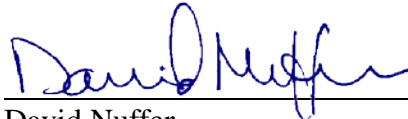
Petitioner Royal Everett Silas filed a notice of appeal,¹ which the U.S. Court of Appeals for the Tenth Circuit has construed as the functional equivalent of a motion for extension of time to appeal.² The motion (“Motion”)¹ recites that the prison where Silas is housed was on an extended lockdown, which prevented his access to the prison’s law library. Silas has shown excusable neglect under [28 U.S.C. § 2107\(c\)](#) for which an extension of time should be allowed.

THEREFORE, IT IS HEREBY ORDERED, that the Motion¹ is GRANTED.

IT IS FURTHER HEREBY ORDERED that the time within which Silas may appeal the subject order and judgment³ is extended through January 23, 2019.

Signed January 22, 2019.

BY THE COURT:



David Nuffer

United States District Judge

¹ Notice of Intent to Appeal Pursuant to Rule 4(A)(1) of the Federal Rules of Appellate Procedure, [docket no. 7](#), filed January 10, 2019.

² Order, [docket no. 10](#), filed January 16, 2019.

³ Memorandum Decision and Order Denying Motion Under [28 U.S.C. § 2255](#) to Vacate, Set Aside, or Correct Sentence, [docket no. 5](#), filed October 26, 2018; Judgment in a Civil Case, [docket no. 6](#), filed October 26, 2018.